

EXHIBIT “A”

FILED: BRONX COUNTY CLERK 08/09/2018 04:12 PM

NYSCEF DOC. NO. 1

INDEX NO. 29278/2018E

RECEIVED NYSCEF: 08/09/2018

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
VICTOR PARADA,

Plaintiff,

-against-

TEWOLDE M. MANNA and ATLANTIC EXPRESS
FLEET 001

Defendants
-----X

Index No.:
Date Purchased:

SUMMONS

Plaintiff designates BRONX
County as the place of trial.

The basis of venue is:
Plaintiffs Residence

Plaintiff resides at:
645 Borretto Street
Bronx, New York 10474

To the above named Defendant(s)

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer, of if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorney(s) within twenty days after the services of this summons exclusive of the day of service, where service is made by delivery upon you personally within the state, or within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
August 7, 2018

WILLIAM SCHWITZER & ASSOCIATES, P.C.



By: WILLIAM SCHWITZER, ESQ.
Attorneys for Plaintiff
Address and Telephone Number
820 Second Avenue 10th Fl.
New York, NY 10017
(212) 683-3800
File No.: SRDS18-124

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TO:

TEWOLDE M. MANNA
3330 Aubrey Rd
Mississauga, ON L5L 5E2

ATLANTIC EXPRESS FLEET 001
3330 Aubrey Rd
Mississauga, ON L5L 5E2

*This Summons and Complaint is being Served pursuant to
New York State Vehicle and Traffic Law § 253*

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-----X
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-against-

**TEWOLDE M. MANNA and ATLANTIC EXPRESS
FLEET 001**

Defendants
-----X

VERIFIED COMPLAINT

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Plaintiff, **VICTOR PARADA**, by his attorneys, **WILLIAM SCHWITZER & ASSOCIATES, P.C.**, as and for a cause of action alleges upon information and belief as follows:

1. That at all times hereinafter mentioned plaintiff **VICTOR PARADA** was and still is a resident of the County of Bronx, City and State of New York.

2. That at all of the times hereinafter mentioned, and upon information and belief, the defendant, **ATLANTIC EXPRESS FLEET 001**, was a domestic corporation organized and existing under and by virtue of the laws of the Country of Canada, Province of Ontario.

3. That at all times hereinafter alleged, and upon information and belief, the defendant, **ATLANTIC EXPRESS FLEET 001**, was and still is a foreign corporation authorized to do business under and by virtue of the laws of the Country of Canada, Province of Ontario.

4. That at all times hereinafter alleged, and upon information and belief, the defendant, **ATLANTIC EXPRESS FLEET 001**, was a company organized and existing under and by virtue of the laws of the Country of Canada, Province of Ontario.

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5. That at all times hereinafter alleged, and upon information and belief, the defendant, **ATLANTIC EXPRESS FLEET 001**, maintained a principal place of business in the city of Mississauga, Province of Ontario.

6. That at all times hereinafter alleged, and upon information and belief, the defendant, **ATLANTIC EXPRESS FLEET 001**, owned a motor vehicle bearing Ontario registration number 4578PV.

7. That at all times hereinafter alleged, and upon information and belief, the defendant, **TEWOLDE M. MANNA**, owned a motor vehicle bearing Ontario registration number 4578PV.

8. That at all times hereinafter alleged, and upon information and belief, the defendant, **TEWOLDE M. MANNA**, operated of a motor vehicle bearing Ontario registration number 4578PV.

9. That at all times hereinafter alleged, and upon information and belief, the defendant, **TEWOLDE M. MANNA**, maintained a motor vehicle bearing Ontario registration number 4578PV.

10. That at all times hereinafter alleged, and upon information and belief, the defendant, **TEWOLDE M. MANNA**, managed a motor vehicle bearing Ontario registration number 4578PV.

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11. That at all times hereinafter alleged, and upon information and belief, the defendant **TEWOLDE M. MANNA**, controlled a motor vehicle bearing Ontario registration number 4578PV.

12. That at all times hereinafter alleged, and upon information and belief, the defendant, **TEWOLDE M. MANNA**, operated a motor vehicle bearing Ontario registration number 4578PV with knowledge, permission and consent of defendant **ATLANTIC EXPRESS FLEET 001**.

13. That at all times hereinafter alleged, and upon information and belief, the defendant, **TEWOLDE M. MANNA**, operated a motor vehicle bearing Ontario registration number 4578PV within the scope of his employment of the defendant, **ATLANTIC EXPRESS FLEET 001**.

14. That at all times hereinafter alleged, and upon information and belief, the defendant, **TEWOLDE M. MANNA**, maintained a motor vehicle bearing Ontario registration number 4578PV with knowledge, permission and consent of defendant, **ATLANTIC EXPRESS FLEET 001**.

15. That at all times hereinafter alleged, and upon information and belief, the defendant **TEWOLDE M. MANNA**, managed a motor vehicle bearing Ontario registration number 4578PV with knowledge, permission and consent of defendant, **ATLANTIC EXPRESS FLEET 001**.

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16. That at all times hereinafter alleged, and upon information and belief, the defendant **TEWOLDE M. MANNA**, controlled a motor vehicle bearing Ontario registration number 4578PV with knowledge, permission and consent of defendant, **ATLANTIC EXPRESS FLEET 001**.

17. That at all times hereinafter mentioned, Spofford Avenue at or near Longwood Avenue, in the County of Bronx, City and State of New York, was and still is a public highway used extensively by the public in general.

18. That on July 8, 2018, the plaintiff, **VICTOR PARADA**, was a pedestrian at the location hereinafter described.

19. That on July 8, 2018, at the aforesaid location, the aforesaid motor vehicle came in contact with the pedestrian.

20. That on July 8, 2018, at the aforesaid location, the aforesaid motor vehicle came in contact with the plaintiff, **VICTOR PARADA**.

21. That the aforesaid accident and injuries resulting therefrom were due solely and wholly as a result of the careless and negligent manner in which the defendant owned, operated, maintained, managed and controlled his motor vehicle without this plaintiff in any way contributing thereto.

22. That by reason of the foregoing and the negligence of the defendant, the plaintiff

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VICTOR PARADA was severely injured, bruised and wounded, suffered, still suffers and will continue to suffer for sometime physical pain and bodily injuries and became sick, sore, lame and disabled and so remained for a considerable length of time.

23. That by reason of the foregoing, the plaintiff, **VICTOR PARADA**, was compelled to and did necessarily require medical aid and attention, and did necessarily pay and become liable therefor for medicines and upon information and belief, the plaintiff will necessarily incur similar expenses.

24. That by reason of the foregoing, the plaintiff **VICTOR PARADA** has been unable to attend to his usual occupation in the manner required.

25. That by reason of the wrongful, negligent and unlawful actions of the defendant, as aforesaid, the plaintiff, **VICTOR PARADA**, sustained serious injuries as defined in Section 5102 (d) of the Insurance Law of the State of New York, and has sustained economic loss greater than basic economic loss as defined in Section 5102 of the said Insurance Law.

26. That one or more of the exceptions of §1602 of the Civil Practice Law and Rules do apply to the within action.

27. That as a result of the foregoing, the plaintiff, **VICTOR PARADA** was damaged in amount exceeds the jurisdictional limits of the lower courts.

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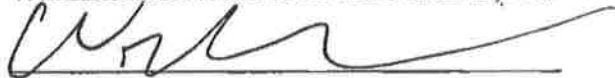
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WHEREFORE, plaintiff **VICTOR PARADA** demand judgment against the defendants on each cause of action in the amount that exceeds the jurisdictional limits of the lower Courts, all together with costs and disbursements of this action.

Dated: New York, New York
August 7, 2018

Yours, etc.

WILLIAM SCHWITZER & ASSOCIATES, P.C.



By: WILLIAM SCHWITZER, ESQ.
Attorneys for Plaintiff
Address and Telephone Number
820 Second Avenue 10th Fl.
New York, NY 10017
(212) 685-7800
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STATE OF NEW YORK)
 ss
COUNTY OF NEW YORK)

I, the undersigned, an attorney admitted to practice in the courts of New York State, state under penalty of perjury that I am one of the attorneys for the plaintiff(s) in the within action; I have read the foregoing **SUMMONS AND VERIFIED COMPLAINT** and know the contents thereof; the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe to be true. The reason this verification is made by me and not by my client(s), is that my client(s) are not presently in the County where I maintain my offices. The grounds of my belief as to all matters not stated upon my own knowledge are the materials in my file and the investigations conducted by my office.

Dated: New York, New York
August 7, 2018



WILLIAM SCHWITZER, ESQ.

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WILLIAM SCHWITZER & ASSOCIATES, P.C.

Attorneys for Plaintiff

Address and Telephone Number

820 Second Avenue 10th Fl.

NEW YORK, N.Y. 10017

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